

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

MARIA ALEJANDRA CELIMEN SAVINO,
et al.,

Petitioners-Plaintiffs,

v.

STEVEN SOUZA,

Respondent-Defendant.

Case No. 1:20-cv-10617-WGY

SUPPLEMENTAL DECLARATION OF CARLOS MENJIVAR-ROJAS

I, Carlos Menjivar-Rojas, declare under penalty of perjury that the following is true and correct:

1. My name is Carlos Menjivar-Rojas and I am currently detained in Bristol County, Unit B. I have been detained here since on or about July 19, 2019. I submitted a declaration in this litigation on March 27, 2020 with information regarding the conditions inside the detention center, my medical condition, and my fear of becoming infected with COVID-19 while inside. This declaration supplements the information contained in there.
2. Since the lawsuit began, Bristol County staff have changed some of the sleeping arrangements. In Unit B, we have a dormitory layout with five rows of bunk beds. Three of these rows has seven beds, and two of the rows has six beds. We used to sleep in each of the rows. However, last week, the corrections officers (“COs”) moved some individuals around so now there are only people sleeping in bunks in three of the rows, with an empty row in between each row where people are sleeping.
3. These new sleeping arrangements do not change much, however, because there is still only 2-3 feet between the top and bottom bunk. Additionally, people frequently walk in the aisles between the rows of bunks to use the bathroom or the phones, so we are close together even then.
4. We have three mealtimes – breakfast, lunch, and dinner served around 7AM, 11AM, and 5PM, respectively. I work as one of the individuals that helps pass out the food.
5. My understanding is that the chow is made in a central location somewhere else in the facility, and then brought by cart to our unit. Someone rolls in a cart and parks it by the

desk used by the COs. Then, four of us work to pass out the food. One person hands out the tray with the meal. Another person hands out the bread. I hand out the butter. Finally, someone else is responsible for the juice.

6. At mealtime, everyone lines up to get food. The trays are taken out from the cart and passed out. The bread comes in a large bag and one person passes them out. I hand out butter, which comes in packets. The juice comes in a large pitcher that the person on juice duty pours into 25-30 cups. All of the cups are then put on a table for people to come take. I have seen the juice sometimes come with grains of rice or black specks in it, and I don't know what they are. The juice container does not look like it gets washed regularly; I've seen chunks of food or juice residue stuck to the pitcher.
7. People stand in one line to get food because there is not a lot of time to pick up your meal. There is around 20 minutes between when the cart arrives and when the last call for food is, so it is not possible for people to stagger when they eat. Instead, people are in line at the same time. People stand right next to each other in line; there is not even 1 foot between people.
8. We then eat in the dayroom at tables. There is not much space between us when we eat – we sit maybe 1 or 2 feet apart from each other.
9. There is also not enough space for us to keep our distance or separate in the bathrooms. In the bathrooms, the showers and toilets are very close to each other. People are constantly coming in and out and the stalls are very close together. The bathroom is cleaned, but it is just one detained individual who goes in and sprays down the faucet every day.
10. There are also not enough supplies in the bathroom. We have to ask the COs for toilet paper.
11. The Bristol County staff put a machine for hand sanitizer in here, but it ran out last Friday night and the staff have not replaced it since.
12. We frequently spend a lot of time in group settings. Any time we are off our bunks, people are in the same areas together. For example, we have a small room where people watch movies and use the computer. Sometimes, there are 10-11 people inside and there is not enough space for people to spread out. We also have church services in here, so the room is frequently crowded. We spend time in a small fenced area for recreation, and around 15-20 go outside at the same time. Because the space is so small, it is impossible to distance ourselves there.
13. It is like a warehouse in Unit B. It's impossible to stay away from each other. It is not safe for us to be in here. People come in and out – guards, nurses, other staff members –

they wear gloves and masks sometimes, but other times they do not. We cannot leave, we are boxed in and trapped. I'm scared of getting infected.

14. This declaration was read to me in English, and I swear it is true. I have authorized Megan Yan, law student intern working on *Savino v. Souza*, to sign for me.

Dated: April 14, 2020

/s/ Carlos Menjivar-Rojas
Carlos Menjivar-Rojas